

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 14th DAY OF JULY 2008, AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:

Doug Marrs	-Vice Chair
William H. Brown	-Supervisors
Gary D. Creed	
James D. Politis	
B. Clayton Goodman, III	-County Administrator
L. Carol Edmonds	-Assistant County Administrator
Martin M. McMahon	-County Attorney
Steve Sandy	-Planning Director
Ruth L. Richey	-Public Information Officer
Vickie L. Swinney	-Secretary, Board of Supervisors

ABSENT:	Annette S. Perkins	-Chair
	Mary W. Biggs	-Supervisors
	John A. Muffo	

CALL TO ORDER

The Vice-Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by James D. Politis, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711
- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
 1. Library Board
 2. Office on Youth Advisory Board
 3. Parks and Recreation Commission
 - (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body
 1. Prices Fork Elementary School Site
 - (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel
 1. Boundary Line Agreement – Town of Christiansburg

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Mary W. Biggs
James D. Politis		John A. Muffo
William H. Brown		Annette S. Perkins
Doug Marrs		

OUT OF CLOSED MEETING

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
William H. Brown	None	Mary W. Biggs
James D. Politis		John A. Muffo
Gary D. Creed		Annette S. Perkins
Doug Marrs		

CERTIFICATION OF CLOSED MEETING

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES
William H. Brown
James D. Politis
Gary D. Creed
Doug Marrs

NAYS
None

ABSENT DURING VOTE
Mary W. Biggs
John A. Muffo
Annette S. Perkins

ABSENT DURING MEETING
Mary W. Biggs
John A. Muffo
Annette S. Perkins

INVOCATION

The Invocation was given by Vice-Chair Marrs.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARING

Proposed Ordinance – Vacation of a Portion of Pebble Beach Drive

An Ordinance vacating a portion of Pebble Beach Drive located in Section II of the Blacksburg Country Club Estates Subdivision, recorded in Plat Book 16, Page 1 in the Montgomery County Clerk's Office.

The County Attorney summarized the proposed ordinance. The applicant is requesting to vacate a portion of the unimproved portion of Pebble Beach Drive, the existing cul-de-sac, that adjoins Lots 405 and Lot A located in Section II of the Blacksburg Country Club Estates Subdivision. A new cul-de-sac for Pebble Beach Drive will be constructed on a portion of Lot 405 and 406.

John Neel, agent for the applicant, explained that this request is to vacate a portion of Pebble Beach Drive that was designated for a cul-de-sac but never constructed. This portion will revert back to the adjoining lot and a new cul-de-sac will be constructed.

Supervisor Creed asked if a new lot will be created due to vacating the unimproved portion of Pebble Beach Drive.

Mr. Neel replied that no new lot will be created. A total of three lots will remain with the acreage of each lot changing to reflect the new lot lines due to the vacation of the unimproved section and the creation of a new cul-de-sac.

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

Margret Early addressed concerns about Kelly Burdette's request to rezone 1.992 acres on Hightop Road from A-1 to GB. Ms. Early indicated she will be speaking on behalf of Ms. Thompson as well, who was also present. She expressed appreciation to Mr. Steve Semones, agent for the applicant, for meeting with them to address their concerns and questions. Ms. Early stated they still have questions regarding the existing pond that will be used for stormwater management. She asked about the dimensions of the pond, what safety issues are being considered (will there be any fencing around the pond), and plans for overflow. As stated at the previous meeting, the current pond is stagnant with no fence around the pond to keep children out, and the overflow of the pond floods their property.

Steve Sandy, Planning Director, provided information on the stormwater control. The applicant will follow the Town of Blacksburg's comprehensive plan regarding stormwater management and will submit a new plan for Blacksburg's approval.

Steve Semones, agent for the applicant, reported they have met with the County Engineer and the Town of Blacksburg regarding the stormwater management plan for this site. A stormwater management concept plan has been submitted to the Town of Blacksburg. The existing pond was built 6-8 years ago for a fishing/recreational pond without permits. They have two options: 1) upgrade the existing pond, which will be wider and deeper, and reconstruct a dam to achieve State water quality requirements; or 2) construct a second pond just for stormwater management. If option 2 is used, the existing pond will not be upgraded and will not correct the problems the neighbors are having. They are proposing to use the first option to upgrade the existing pond, which will be renovated to handle long term stormwater management. They can install a fence or create an aquatic bench. Mr. Semones believes they have addressed all the Board of Supervisors and neighbors concerns on the pond.

Supervisor Creed asked if the drainage pipe would be a standard size? Mr. Semones replied the drainage pipe would be the standard size but may need an larger pipe which will be better than what is in place now at the pond. He believes that the pipe at Hightop Road may need to be replaced; however, this is a VDOT issue.

There being no further speakers, the public address session was closed.

CONSENT AGENDA

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously, the Consent Agenda dated July 14, 2008 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Mary W. Biggs
William H. Brown		John A. Muffo
James D. Politis		Annette S. Perkins
Doug Marrs		

Approval of Minutes

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously, the minutes dated April 14, April 28, and May 12, 2008 were approved.

R-FY-09-01 SCHEDULE PUBLIC HEARING BOUNDARY LINE VACATION ROLLING HILLS SUBDIVISION RIVERBEND WATER COMPANY

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board hereby schedules a public hearing on August 25, 2008 at 7:15 p.m., or as soon thereafter, at the Montgomery County Government Center, 2nd Floor Board Room, 755 Roanoke Street, Christiansburg, Virginia, to hear citizen comments on the following ordinance:

An Ordinance vacating a portion of an unimproved portion of Lupine Lane, on a portion of an unimproved portion of an unnamed right of way, and vacate Lots 10 thru 20 and Lots 28 thru 37, and vacate certain public utility and public drainage easements all located in Section IV of the Rolling Hills Subdivision recorded in Plat Book 8, Page 23 in the Montgomery County Circuit Court Clerk's Office.

A-FY-09-03 RE-APPROPRIATION OF ENCUMBRANCES FROM FY 08 TO FY 09

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009 for the function and in the amount as follows:

100	Board of Supervisors	\$13,999
110	County Administration	\$53,058
111	EMS Grants	\$2,931
130	Financial and Management Services	\$12,648
140	Information Management Services	\$23,436
170	Electoral Board	\$3,250

180	Internal Services	\$8,075
220	General District Court	\$1,000
230	J&D Court	\$654
400	General Services	\$127,392
710	Library	\$37,133
720	Floyd Library	\$3,201
800	Planning and GIS	\$16,726
801	Planning Grants	\$264
810	Economic Development	\$6,357
910	Outside Agencies – Extension	<u>\$1,285</u>
	Total	\$311,409

The source of funds for the foregoing appropriation is as follows:

Revenue Account

451205	Designated General Fund Balance	\$311,409
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Said resolution re-appropriates monies supporting the balances of outstanding purchase orders remaining at the end of June 30, 2008.

**A-FY-09-04
RE-APPROPRIATION OF
COUNTY CAPITAL PROJECTS**

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Capital Projects Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009, for the function and in the amount as follows:

110	New Government Center	\$ 1,587,300
	Building C Renovation	560,722
	Courthouse Renovation	6,946,843
140	CAMA	13,490
	E Government	48,777
	Document Management	36,778
330	Undesignated Fire and Rescue	557,388
	Shawsville Rescue – Vehicle	23,419
	Christiansburg/Riner Rescue-Building	1,594
	Elliston Fire Department-Building	4,669
400	Animal Control	25,000
	Elliston Bridge	22,036
	Consolidated Sites	32,689
	Athletic Fields	2,067
	CJ&S Property Improvements	11,569
	Future Land Purchases	405,065
700	Elliston/Lafayette Recreational Park	90,752
	Park Revitalization	238
	Frog Pond	7,736
710	Meadowbrook Library	12,590
800	GIS	48,729
810	Economic Development	<u>3,704</u>
	Total	\$10,443,155

The source of funds for the foregoing appropriation is as follows:

Revenue Account:

451205	Designated Fund Balance	\$10,443,155
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Said resolution appropriates the available account balances for County capital projects, excluding purchase orders, remaining at the end of June 30, 2008.

A-FY-09-05
RE-APPROPRIATION OF COUNTY
CAPITAL PROJECTS ENCUMBRANCES

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Capital Projects was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009, for the function and in the amount as follows:

110	New Government Center/Building C	\$15,058
	Courthouse Renovation	\$2,137,552
140	Integrated Management Information System	\$157,309
330	Fire and Rescue	\$600,798
400	General Services	<u>\$ 39,739</u>
	Total	\$2,950,456

The source of funds for the foregoing appropriation is as follows:

Revenue Account

451205	Designated County Capital Projects Fund Balance	\$2,950,456
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Said resolution re-appropriates monies supporting the balances of outstanding purchase orders for County Capital Projects remaining at the end of June 30, 2008.

A-FY-09-06
RE-APPROPRIATION OF SCHOOL CAPITAL
PROJECTS FUND

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, That the School Capital Projects Fund was granted an appropriation in addition to the annual appropriation for fiscal year ending June 30, 2009 for the function and in the amount as follow:

600	Capital Projects Fund - Schools	\$3,433,063
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The source of funds for the foregoing appropriation is as follows:

Revenue Account

451204	Capital Projects Fund Balance	\$3,433,063
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Said resolution re-appropriates the available account balances for School Capital Projects remaining at the end of June 30, 2008.

A-FY-09-07
SCHOOL OPERATING FUND
YEAR END ADJUSTMENTS TRANSFER

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer between categories for the School Operating Fund was granted for the fiscal year ending **June 30, 2008**, for the function and in the amount as follows:

FROM

610000	Instruction	(\$668,844)
640000	Operations and Maintenance	(92,890)
	Total	(\$761,734)

<u>TO</u>	
630000 Pupil Transportation	\$743,890
650000 Non-instruction	<u>17,844</u>
Total	\$761,734

Said resolution transfers funds between School Operating Fund categories in order to close they FY 2008 year.

**A-FY-09-08
ECONOMIC DEVELOPMENT
CAPITAL PROJECTS**

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009 for the function and in the amount as follows:

451209 Transfer to County Capital Projects	\$ 619,119
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
02- 451203 Undesignated Fund Balance	\$619,119

BE IT FURTHER RESOLVED, That the County Capital Projects Funds was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009 for the function and in the amount as follows:

810 Economic Development	\$619,119
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account:</u>	
451100 Transfer from General Fund	\$619,119

Said resolution appropriates funds received in FY 08 from the sale of two industrial park lots for economic development capital projects in FY 09.

**A-FY-09-09
PLANNING & GIS
SUPPLEMENTAL APPROPRIATION
PAYMENT OF EMPLOYEE ELIGIBLE
LEAVE BALANCES**

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009 for the function and in the amount as follows:

800 Planning and GIS	\$5,161
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
02- 451203 Undesignated Fund Balance	\$5,161

Said resolution appropriates fund balance to provide monies to cover the payment of eligible annual and sick leave balances for two employees who left county service.

R-FY-09-02
RESOLUTION REFERRING A
REQUEST FOR ADDITION TO AGRICULTURAL
AND FORESTAL DISTRICT(AFD-2 CATAWBA ROAD)
TO THE AFD ADVISORY COMMITTEE
AND PLANNING COMMISSION

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby refer the following request for addition to an existing Agricultural and Forestal District (AFD) to the Planning Commission and the AFD Advisory Committee for their action pursuant to Chapter 2, Division 7 of the Montgomery County Code and Title 15.2, Chapter 43 of the Code of Virginia, 1959, as amended.

AFD-2 Catawba Road

Addition of 84.34 acres owned by Gordon and Nancy Johnson on Catawba Road (3400 block). Property is further identified as tax map parcel 20-A-6 (Acct No. 009762) in the Mt. Tabor Magisterial District.

R-FY-09-03
LOCAL EMERGENCY PLANNING COMMITTEE
APPOINTMENT

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby recommends that the Virginia Emergency Response Council appoint the following individual to the Joint Blacksburg/Montgomery County Local Emergency Planning Committee (LEPC):

Michael T. Eberhart
Environmental, Health, and Safety Manager
Wolverine Advanced Materials/LLC
201 Industrial Park Rd., S.E.
Blacksburg, VA 24060
Tel: 540-557-6262 Ext. 6262
Fax: 540-961-2346
michael.eberhart@eaglepicher.com

Said appointment is to fill the term of Scott Meadows, resigned.

OLD BUSINESS

ORD-FY-09-01
AN ORDINANCE AMENDING THE
ZONING CLASSIFICATION
OF APPROXIMATELY 19.038 ACRES
LOCATED ON THE SOUTHEAST CORNER
OF THE INTERSECTION OF MUD PIKE (SR 666) AND
SEVEN MILE TREE ROAD (SR 836)
FROM RURAL RESIDENTIAL (R-R) TO AGRICULTURE (A-1)
WILLIAM W. AND MARY T. PETERMAN

On a motion by James D. Politis, seconded by William H. Brown and carried unanimously,

BE IT ORDAINED By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tract or parcel of land consisting of 19.038 acres of land is hereby amended and rezoned from the zoning classification of Rural Residential (R-R) to Agriculture (A-1) with two (2) lot assignments re-assigned to this parcel in accordance with the Agriculture (A-1) zoning ordinance density requirements.

This action was commenced upon the application of William W. Peterman and Mary T. Peterman.

The property is located on the southeast corner of the intersection of Mud Pike (SR 666) and Seven Mile Tree Road (SR 836) and is identified as Tax Parcel Nos. 104-A-75E (Acct # 120045) in the Riner Magisterial District (District D). The property currently lies in an area designated as Rural in the Comprehensive Plan.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
William H. Brown	None	Mary W. Biggs
Gary D. Creed		John A. Muffo
James D. Politis		Annette S. Perkins
Doug Marrs		

ORD-FY-09-02
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION
OF APPROXIMATELY 1.992 ACRES OF A 6.5 ACRE TRACT
LOCATED AT 929 HIGHTOP ROAD (SR 808)
FROM AGRICULTURE (A-1) TO GENERAL BUSINESS (GB)
KELLY L. BURDETTE

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously,

BE IT ORDAINED By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tract or parcel of land consisting of 1.992 acres of land is hereby amended and rezoned from the zoning classification of Agriculture (A-1) to General Business (GB) with the following proffered conditions:

1. Property shall be developed in substantial conformance with the conceptual plan by Balzer and Associates, Inc. dated April 1, 2008 and revised May 20, 2008, including a future private or public road connection to the western adjacent property as shown.
2. Site shall be served by Montgomery County PSA sanitary sewer and water.
3. A detailed site plan/subdivision plan in conformance with zoning ordinance requirements shall be submitted and approved by the zoning administrator and all other necessary local and state agencies prior to issuance of building permits for this development.
4. Stormwater management will be proposed on the west side of the property in accordance with all State and Local stormwater management standards and shall be reviewed by Montgomery County and Town of Blacksburg.
5. All entrances onto Davis Street and site improvements located on Tax Map #376-14 will be designed to Town of Blacksburg standards.
6. The uses on the subject property will be limited to Business or trade school, Conference or training center, Day care center, Financial services, Equipment sales and service, Funeral home, Printing service, Office, administrative, business or professional, Medical care facility, Library, Restaurant, Veterinary practice, animal hospital, Telecommunication Tower-attached, Retail sales and services.

This action was commenced upon the application of Kelly L. Burdette (Agent: Balzer and Associates, Inc.).

The property is located 929 Hightop Road (SR 808) and is identified as Tax Parcel Nos. 67-A-48 and 67-A-49 (Acct # 005757 and 005760) in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Mary W. Biggs
James D. Politis		John A. Muffo
William H. Brown		Annette S. Perkins
Doug Marrs		

INTO WORK SESSION

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. AEP Falling Branch-Merrimac 138kv Transmission Line Project
2. Hydrogeologic Study for the Proposed Additional Phases of The Ridges Development – Reese Family Limited Partnership Rezoning
3. Revenue Sharing Projects – FY 2009

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Mary W. Biggs
William H. Brown		John A. Muffo
Gary D. Creed		Annette S. Perkins
Doug Marrs		

AEP Falling Branch-Merrimac 138kv Transmission Line Project

The County Administrator reported that AEP is receiving public comment on the proposed AEP Falling Branch-Merrimac 138kv Transmission Line Project. The project does not require locality's approval, only the State Corporation Commission's (SCC) approval. There are numerous potential routes that are located within the Towns of Blacksburg and Christiansburg as well as the unincorporated areas of the County. Staff was directed to review the proposed routes to determine if and how they will impact the County. Steve Sandy, Planning Director, provided the following information:

- Many of the proposed routes, especially within the town limits, will impact businesses and residences.
- The proposed routes on the north side of Route 460 in the unincorporated area of the County appear to have the least negative impact to the existing businesses and residences. These routes go through vacant land and large tracts and follow existing railroad and power line routes in several areas.
- Representatives of Shelor Motor Mile have expressed concerns about potential overhead lines being placed on their property. They have spent a considerable amount of money to place existing power lines underground and have concerns about the new line being placed above ground through their automotive sales lots. Relocating the proposed routes along property lines to avoid the sales lots in order to minimize the impact may be a better solution.

- Representatives of Duncan Automotive have expressed similar concerns about the proposed routes through their lots in the mid-county area.
- The route segments that appear to have the least impact to existing residences and commercial structures would be the proposed routes A-B-D-E-F-R-G-II-EE-CC. These proposed routes will parallel existing railroad line crossing I-81 and then run along the north side of Route 460 bypass and County landfill before crossing Route 460 to connect to the Merrimac substation behind the Montgomery Regional Hospital.
- This route does cross some Agricultural and Forestal District (AFD) lands, but is not expected to have a significant impact on the use of the property.
- Other proposed routes appear to have the potential to have a major impact to numerous residences, businesses and view sheds in the County.

Supervisor Creed commended staff on reviewing this project and outlining the routes that will have the least impact. He suggested that the Board of Supervisors comment that AEP use the most northern route feasible in order to have the least impact on residences and businesses.

Hydrogeologic Study for the Proposed Additional Phases of The Ridges Development – Reese Family Limited Partnership Rezoning

The County Administrator reported that the Board of Supervisors instructed staff to address the water concerns on the existing wells and proposed wells in the Ridges Subdivision. ATS International was contracted to provide a hydrogeologic study on the additional phase of The Ridges development. The County Administrator introduced Ted Deam with ATS International to present their findings.

Ted Dean provided a summary of the hydrogeologic study as follows:

“The study was undertaken to address concerns about sufficient groundwater resources to supply the proposed phases of The Ridges development. The site consists of approximately 224 acres and is located north of New Ridge Road and west of Bradshaw Road. The proposed development consists of 67 lots to be developed on the 224 acres with a minimum lot size of 1.5 acres.

The tasks involved in this study included:

- (1) Field reconnaissance.
- (2) Fracture trace analysis.
- (3) Review of previous drilling logs.
- (4) Calculation of water budget.
- (5) Preparation of this document describing our methods and findings.

The site is underlain by the Brallier Formation consisting primarily of shale and sandstone. The regional geologic structure is favorable to the local water resources. The bedding planes in the structure create a localized “bowl” that will exert some influence on the migration of groundwater, causing the precipitation recharge to tend to flow toward the site.

Statistics on the existing 30 well records indicate that 87% of the wells drilled on the previous phases have yielded 2 gpm or more. A low-yielding well such as 0.5 gpm can support a household considering that this is equal to 720 gpd, and even a conservative estimate of household usage is 480 gpd for a family of four. Moreover, the depth of the water column in the well can result in considerable water storage in the well. Water storage in the well is the result of having a column of water above the pump. In a six inch well, every foot of water is equal to approximately 1.5 gallons of water.

Based on the results of this analysis, general groundwater principles, and our professional experience, we come to the following conclusions:

- The available data indicate no discernible lateral or vertical trends in yield, so these data cannot be used for precise predictions of drilling results for any given lot or drilling location.

- The geologic setting is one in which high-yield wells (50 gpm or more) will be rare, but it will also be rare for any lot of 1.5 acres to not provide an adequate water well.
- The general statistics experienced in the previous phases can be expected to continue in the proposed phase. There may be a few wells with less than 2 gpm, but 80 to 90 of the wells are likely to yield 2 gpm or more.
- It is unlikely that the combined pumping of the existing and proposed wells will deplete the water resources such that any well will be noticeably affected by other wells. With 1.5 acre lots, the wells will be far enough apart such that even simultaneous pumping will not adversely affect adjacent wells.

We believe that the water resources of the area are adequate to support the proposed development, and we recommend that groundwater not be considered an issue in deciding whether to approve the development.

We further recommend that prospective property owners be advised that it is advisable to drill the well before designing any other aspect of the home. The house location and the septic system can be moved around the lot, but water might not be found anywhere that is convenient. If the owner drills a low-yield well, he/she should consider three options.

- 1) Drill in a different location on the lot. The nature of fractured rock aquifers and the existing well data indicate that any location may be more or less favorable than another, and moving the drilling location could result in a better well. However, this option may be more expensive than the following options.
- 2) Drill the well deep in order to build storage capacity into the well bore, considering 1.5 gallons per foot of well bore. Even if they have to drill to 700 feet or more to find 1 gpm, that 1 gpm can support the household more adequately when there is 500 gallons or more of water stored in the well bore.
- 3) Consider an indoor storage tank. Most households will not often use more than 100 to 200 gallons of water in one event, so this amount of storage in the home will ensure that the well is rarely drawn to its full capacity. This is especially true if there is storage both in the home and in the well.”

Supervisor Creed reported that some residents stated they had wells to run dry due to new wells being drilled. Mr. Dean noted that it is unlikely for a well to run dry because of another well drilled 1-2 miles away.

Revenue Sharing Projects – FY 2009

The County Administrator received information from the Virginia Department of Transportation regarding the Revenue Sharing Program. If the Board of Supervisors wishes to participate in the FY 09 Revenue Sharing program, the deadline for applications is August 1, 2008. There is \$500,000 available in County funds that can be used toward this program. A like match from VDOT will provide the County a total of \$1 million to earmark for improving county roads.

The Road Viewers suggested that the following roads be considered for potential Revenue Sharing funds:

-Alleghany Springs Bridge (SR 637) at Willis Hollow Road	\$300,000
-Craig Creek Road (SR 621) Additional 1.0 mi safety improvement spot widening	\$200,000
-Stanley Road (SR 667) Spot widening and Surface Treating existing roadway	\$275,000
-Willis Hollow Road (SR 609) Grading and Drainage improvements for ½ mi	\$400,000
-Woodrow Road (SR 644) Surface Treating existing roadway	\$ 25,000
-Yellow Sulphur Road (SR 643) Spot Improvements	<u>\$150,000</u>
Total:	\$1,350,000

Board members were asked to provide staff with roads they wish to consider for revenue sharing funds in order to have a resolution added to their next agenda for consideration.

Supervisor Creed suggested that Willis Hollow Road (SR 609) be deleted from this list in order to provide enough funding to cover the remainder roads on the list. He believes this will distribute the funding evenly across the entire County.

OUT OF WORK SESSION

On a motion by James D. Politis, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
William H. Brown	None	Mary W. Biggs
Gary D. Creed		John A. Muffo
James D. Politis		Annette S. Perkins
Doug Marrs		

NEW BUSINESS

R-FY-09-04 APPALACHIAN POWER COMPANY FALLING BRANCH-MERRIMAC 138 kV TRANSMISSION LINE PROJECT

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously,

WHEREAS, Appalachian Power Company (APCO) is in the preliminary stages of identifying proposed study routes for the Falling Branch-Merrimac 138 kV transmission line project; and

WHEREAS, The Falling Branch-Merrimac 138 kV transmission line project is proposed to be approximately 8 miles long beginning at APCo's existing Merrimac Substation (south of Blacksburg), traveling through the existing Hans Meadow Substation (Christiansburg) and terminating at the existing Falling Branch Substation (east of Christiansburg); and

WHEREAS, APCo is accepting comments and suggested alternative routing options through July 18, 2008; and

WHEREAS, The Montgomery County Planning Department has reviewed the maps and other available information provided by APCo with regard to the Falling Branch-Merrimac 138 kV Transmission Line Project and there are numerous potential routes identified by APCo that are located within the Towns of Christiansburg and Blacksburg as well as the unincorporated area of Montgomery County; and

WHEREAS, There are segments of these proposed routes that could potentially impact existing businesses, residences and view sheds in the County; and

WHEREAS, There are segments of these proposed routes that appear to follow existing rail road and power line rights of way; and

WHEREAS, The Board of Supervisors requests that APCo review and consider the proposed more northern routes that will have the least amount of impact on existing businesses, residences and view sheds in the County and when possible for those proposed routes to follow existing railroad and power line rights of way; and

WHEREAS, The Board of Supervisors requests that APCo notify the property owners that may be effected directly or by adjoining the proposed study routes as soon as possible so that they may be informed and able to comment and be involved in the selection process.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board hereby requests that APCo review and consider proposed more northern routes to locate the Falling Branch-Merrimac 138 kV line project in Montgomery County that will have the least impact on existing businesses, residences and view sheds and when possible for those proposed routes to follow existing railroad and power line rights of way.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board hereby further requests that APCo notify all property owners that may be effected directly or by adjoining the proposed study routes as soon as possible so that the property owners may be informed and able to comment and be involved in the process.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Mary W. Biggs
James D. Politis		John A. Muffo
William H. Brown		Annette S. Perkins
Doug Marrs		

R-FY-09-05
RESOLUTION OF THE BOARD OF SUPERVISORS OF
MONTGOMERY COUNTY, VIRGINIA WITH RESPECT TO ISSUANCE OF PUBLIC
FACILITY LEASE REVENUE BONDS BY THE INDUSTRIAL DEVELOPMENT
AUTHORITY OF MONTGOMERY COUNTY FOR THE MONTGOMERY COUNTY
BOARD OF SUPERVISORS FOR THE COURTHOUSE PROJECT, PUBLIC SAFETY
PROJECT, AND SCHOOL CAPITAL PROJECTS

On a motion by Gary D. Creed, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors (**the “Board”**) of Montgomery County, Virginia (**the “County”**), deems it to be in the best interests of the County to provide for the design, acquisition, construction, renovation, expansion and equipping, as applicable, of (i) a renovated County Public Safety Building (**the “Public Safety Project”**), (ii) improvements and renovations to the County Jail (**the “Jail Project”**) (iii) a stadium at Blacksburg High School (**the “Stadium Project”**) (iv) two new public schools (**the “Elliston School” and the “New School”, together the “Schools Project”**) and (v) a new County Courthouse Building and the land on which it will be located (**the “Courthouse Project”**), as well as for reimbursement to the County for the cost of purchase of land for public school and County use (**together, the “Project”**); and

WHEREAS, The Industrial Development Authority of Montgomery County, Virginia, a political subdivision of the Commonwealth of Virginia (**the “Authority”**) desires to acquire a leasehold interest in certain real property located in the County pursuant to a Ground Lease (as defined below), which property is further described as, all or a portion of the following: (i) the Courthouse Project including the land on which it will be located, which is owned by the County, (ii) Elliston School and the land on which it will be located, which is owned by the County, and (iii) the Blacksburg High School, which is owned by the School Board, until such time as fee simple title to the land on which the New School will be located is vested in the School Board and the New School has been completed at which time the New School will be substituted for the Blacksburg High School and the Blacksburg High School will no longer be included within the definition of the Leased Property (**together, the “Leased Property”**) all in order to provide security for the purchasers of the Authority’s obligations issued to finance the Project; and

WHEREAS, The Leased Property is intended to be leased by the Authority back to the County for the use by the County for judicial purposes and by the School Board for public school purposes, as applicable, pursuant to a Financing Lease between the Authority and the County (**the “Financing Lease”**); and

WHEREAS, The Authority, upon request of the County, intends to finance costs of the design, acquisition, construction, renovation, expansion and equipping, as applicable, of the Project through a program of lease revenue bond financing, whereby the Authority will issue its not to exceed \$77,000,000 Public Facility Lease Revenue Bonds (Public Projects), Series 2008 **(the “Bonds”)**, to (a) pay a portion of the costs of designing, acquiring, constructing, renovating, expanding, equipping and furnishing of the Project, (b) fund a debt service reserve fund for the Bonds and (c) provide for the payment of issuance costs of the Bonds; and

WHEREAS, The rent and other payments to be made to the Authority by the County pursuant to the Financing Lease will be sufficient to pay the obligations of the Authority with respect to the Bonds and will be pledged and assigned by the Authority, together with its other rights under the Financing Lease, as security for the Bonds, all as further described in the below-defined Indenture; and

WHEREAS, The rent and other payments to be made to the Authority by the County pursuant to the Financing Lease will be payable solely from funds appropriated therefor by the Board from time to time and not under any circumstances from a pledge of the full faith and credit or taxing power of the County; and

WHEREAS, Upon the payment and satisfaction of all of the County’s obligations under the Financing Lease, the County shall have the option to reacquire full ownership of the Leased Property for a nominal sum; and

WHEREAS, There have been presented at this meeting drafts of the forms of the following instruments **(the “County Financing Documents”)** to be executed and delivered by the County in connection with the plan of financing:

1. Ground Lease, dated as of August 1, 2008, among the School Board, the County and the Authority, relating to the Leased Property **(the “Ground Lease”)**;
2. Indenture of Trust, dated as of August 1, 2008, between the Authority and a corporate trustee (to be selected as set forth below), as Trustee **(the “Trustee”)**, and approved by the County, relating to the issuance of the Bonds **(the “Indenture”)**;
3. Financing Lease, dated as of August 1, 2008, between the Authority and the County **(the “Financing Lease”)**;
4. Assignment of Rents and Leases, dated as of August 1, 2008, between the Authority and the Trustee, which is to be acknowledged and consented to by the County and the School Board **(the “Assignment”)**;
5. Option Agreement, dated as of August 1, 2008, among the School Board, the County and the Authority relating to the Leased Property **(the “Option Agreement”)**; and
6. A Specimen Bond.

WHEREAS, There has also been presented at this meeting a copy of the Preliminary Official Statement of the Authority **(the “Preliminary Official Statement”)** relating to the public offering of the Bonds that has been prepared in connection with issuance and sale of the Bonds by the Authority and the County and a form of the Bond Purchase Agreement to be entered into between the Authority and Davenport & Company, LLC., as managing underwriter and Morgan Keegan & Company, Inc., as co-manager and initial purchasers of the Bonds **(the “Underwriters”)**, and agreed to by the County **(the “Bond Purchase Agreement”)**.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA, THAT:

1. The issuance and sale of the Bonds, pursuant to and upon the terms and conditions set forth herein and in the Indenture and the Bond Purchase Agreement, and the financing of the Project and leasing of the Leased Property for the benefit of the County are hereby approved and

authorized. The following plan for financing the costs of the Project is approved. The Authority shall use the proceeds from the issuance of the Bonds to finance on behalf of the County, the costs of the design, acquisition, construction, renovation, expansion and equipping of the Project and shall lease the Leased Property to the County for a lease term not less than the term of the Bonds at a rent sufficient to pay when due the interest and principal on the Bonds. The obligation of the Authority to pay principal and interest on the Bonds will be limited to rent payments received from the County under the Lease Agreement. The obligation of the County to pay rent under the Lease Agreement will be subject to the Board making annual appropriations for such purpose. The Board on behalf of the County has adopted this resolution as its moral obligation to the repayment of the Bonds. The Bonds will be secured by an assignment of rents to the Bondholders as the holder thereof. If the Board exercises its right not to appropriate money for rent payments, the Bondholders may terminate the lease or otherwise exclude the County from possession of the Project, subject to judicial authority as to a portion of the Leased Property.

2. The County Financing Documents shall be in substantially the forms submitted to this meeting, which are hereby approved with such completions, omissions, modifications, insertions and changes as may be approved by the Chair or in her absence, the Vice Chair, of the Board (**together, the “Chair”**), the County Administrator or the other officers executing them, their execution to constitute conclusive evidence of his or her approval of any such completions, omissions, changes, insertions and changes.

3. The Chair or the County Administrator and all other appropriate officers of the County are each hereby authorized and directed to execute the County Financing Documents and to deliver the County Financing Documents to the other parties thereto and to execute all certificates and documents, including but not limited to a federal tax compliance certificate and agreement relating to the tax-exempt status of the interest on the Bonds and a continuing disclosure agreement relating to compliance with the below-described Rule, and to take all such further action as they may consider necessary or desirable in connection with the issuance and sale of the Bonds and the financing of the Project and leasing of the Leased Premises.

4. The Preliminary Official Statement in the form presented to this meeting is approved with respect to the information contained therein pertaining to the County. The Underwriters are authorized to distribute to prospective purchasers of the Bonds, the Preliminary Official Statement in form deemed to be “near final,” within the meaning of Rule 15c2-12 of the Securities and Exchange Commission (**the “Rule”**), with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the Chair or the County Administrator. Such distribution shall constitute conclusive evidence that the County has deemed the Preliminary Official Statement to be final as of its date within the meaning of the Rule, with respect to the information therein pertaining to the County. The Chair or the County Administrator is authorized and directed to approve such completions, omissions, insertions and other changes to the Preliminary Official Statement that are necessary to reflect the terms of the sale of the Bonds, determined as set forth in paragraph 5, and the details thereof and that are appropriate to complete it as an official statement in final form (**the “Official Statement”**) and distribution thereof by the Underwriters shall constitute conclusive evidence that the County has deemed the Official Statement final as of its date within the meaning of the Rule, with respect to the information contained therein pertaining to the County.

5. The Chair or the County Administrator is authorized and directed to enter into the Bond Purchase Agreement containing the terms upon which and the price or prices at which the Bonds shall be sold to the Underwriters, which terms and prices shall be established by the Chair or the County Administrator, upon negotiation with the Underwriters and not inconsistent with the provisions of this Resolution. The Bonds shall mature not later than 32 years from the date of issuance thereof, with such shorter maturities and sinking fund and optional redemption provisions as the officers of the County approving such terms shall deem appropriate (but any redemption premium shall not exceed two percent (2%)), and shall be sold initially at an purchase price (exclusive of original issue discount) of not less than 98% of the face amount of the Bonds plus interest accrued thereon to the date of issuance of the Bonds, if any, in any case so as to produce an annual true interest cost of the Bonds of not to exceed 6.00%.

6. To provide additional credit enhancement of the Bonds and to achieve additional financing economies for the County, the Chair or the County Administrator is hereby authorized, based on the recommendation of the Underwriters, to agree to municipal bond insurance

proposals, which if executed, are hereby approved, and the Chair or the County Administrator is authorized to enter into such instruments and agreements as shall be necessary or desirable to obtain such municipal bond insurance. The Board also authorizes the Chair or the County Administrator, based on the recommendation of the Underwriters, to agree to obtain a rating from national rating agencies and to obtain a surety bond for deposit in the Debt Service Reserve Fund under the Indenture, in lieu of funding such Debt Service Reserve Fund from proceeds of the Bonds.

7. The Chair or the County Administrator is authorized and directed to execute, deliver and file the Ground Lease, the Financing Lease, the Assignment, the Option Agreement and all necessary certificates and documents and to approve the terms of the Indenture and to take all such further action as they may consider necessary or desirable in connection with the issuance and sale of the Bonds and the undertaking and financing of the Project. The Chair or the County Administrator is authorized to select a corporate trustee to act as Trustee under the Indenture, based on the recommendation of the Underwriters. The Chair, the County Administrator, County Attorney, County Treasurer and County Director of Financial and Management Services and all other officers of the County are hereby authorized and directed to work with representatives of the Authority, Bond Counsel (Sands Anderson Marks & Miller, a Professional Corporation), the Underwriters and counsel to the Underwriters to perform all services and prepare all documentation necessary to bring the Bonds to market and to issue the same.

8. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

9. The County previously adopted resolutions relating to its intent to reimburse itself, in accordance with U.S. Treasury Regulation Section 1.150-2, for expenditures on the Project on April 23, 2007 and July 23, 2007, which are ratified, adopted and confirmed by reference in this resolution, with the revisions of expansion of the definition of the Project as set forth herein and the maximum principal amount expected to be issued currently and from monies provided by subsequent Literary Loan programs, for the Project (including any funding for debt service reserve funds) to \$92,000,000.

10. The Project and the Leased Property are hereby declared to be essential to the efficient operation of the County, and the Board anticipates that the Project and the Leased Property will continue to be essential to the operation of the County during the term of the Bonds.

11. The County represents and covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (**the “Code”**) or otherwise cause the interest on the Bonds to be includable in gross income for Federal income tax purposes under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the Authority or the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds from the sale of the Bonds.

12. Nothing in this Resolution, the Bonds, the County Financing Documents or the Bond Purchase Agreement shall constitute a debt or a pledge of the faith and credit of the Authority or the County, and the Authority shall not be obligated to make any payments under the Bonds or the Documents except from payments made by or on behalf of the County under the Financing Lease pursuant to annual appropriation thereof in accordance with applicable law. The Board, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make annual appropriations in future fiscal years in amounts sufficient to make all payments under the Financing Lease and hereby recommends that future Boards do likewise during the term of thereof.

13. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Bonds. The Chair, the County Administrator, the County Treasurer, the County Director of Financial and Management Services and such officer or officers of the County as any of them may designate are hereby authorized and directed to execute and deliver any registration or other documents for the County to participate in the State Non-Arbitrage Program in connection with the Bonds.

14. All other acts of the officers of the County that are in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds and the undertaking and financing of the Project are ratified and approved.

15. This Resolution shall take effect immediately.

PASSED AND ADOPTED this 14th day of July, 2008.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Mary W. Biggs
William H. Brown		John A. Muffo
Gary D. Creed		Annette S. Perkins
Doug Marrs		

The Board of Supervisors took a 15 minute recess and reconvened at 9:25 p.m.

R-FY-09-06
BOARD OF SUPERVISORS POLICY
TO ADDRESS REQUESTS FROM INDIVIDUALS
TO HAVE A SECONDARY ROAD, OR A PORTION
OF A SECONDARY ROAD ABANDONED

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby approves and establishes a policy to address requests from individuals to have a secondary road or a portion of a secondary road abandoned, as follows:

There are two circumstances for abandoning a secondary road:

1. When the Board of Supervisors decides that:

- (a) No public necessity exists for the continuance of the secondary road as a public road (i.e., lack of public use), or
- (b) The safety and welfare of the public would be served best by abandoning the section of road

2. When a new road “which serves the same citizens as the old road” has already been constructed to VDoT standards and accepted into the secondary system. The order of abandonment of the old road and request for acceptance of the new road are combined in the same resolution and enacted simultaneously, in that sequence.

For an individual property owner to get a road abandoned:

- The property owner must submit a petition to the County Administrator, requesting that the Board of Supervisors abandon a road, or a section of road. The petition must include the signatures of **all** property owners on the road, or section of road, that is requested to be abandoned. Petition must be accompanied by a reasonably accurate plat and description of the road, or section of road, that is requested to be abandoned.
- County staff will send request to VDoT’s Residency Administrator for review and comment.
- County staff will send request to the Montgomery County Public Service Authority and to all other utility companies for review to insure that they would have no present or future need to use the right-of-way.
- The Board of Supervisors will then schedule a public hearing and provide a formal notice to the Transportation Commissioner. Notice of public hearing will be posted on the road or section of road that is requested to be abandoned, and published once a week for two successive weeks in a newspaper published or having general circulation in Montgomery County.

- Following the public hearing, the Board of Supervisors may either adopt a resolution requesting VDOT to abandon the road, or adopt a resolution to dismiss the abandonment.
- Once the road is abandoned, the property reverts back to the adjoining property owners unless the right-of-way was bought and paid for by VDOT. In that case, the property would have to be acquired from VDOT, which will be paid by the applicant.
- In considering the abandonment of any road, or section of road, consideration shall be given to the historic value, if any, of such road.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
William H. Brown	None	Mary W. Biggs
Gary D. Creed		John A. Muffo
James D. Politis		Annette S. Perkins
Doug Marrs		

R-FY-09-07
COMMONWEALTH'S ATTORNEY
VICTIM WITNESS GRANT

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

WHEREAS, The Victim Witness Program is administered by the Commonwealth's Attorney's office; and

WHEREAS, The Victim Witness Grant previously totaled \$134,195 and covers the cost of three positions and operations for the program with 95% of the grant funds covering salaries and benefits which increase annually; and

WHEREAS, The state also plans to reduce the grant in fiscal year 2009 by \$13,419; and

WHEREAS, The Commonwealth's Attorney generates revenue from the collection of fines and fees through his office which has been used to reduce the general fund dollars needed to support this office; and

WHEREAS, In March 2006 the Commonwealth's Attorney requested and the Board of Supervisors approved the use of a portion of the fee revenue generated by his office to supplement a maximum of 10% of the grant to the Victim Witness program not covered through the Victim Witness Grant funding.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors approves the use of the fee revenue generated through the Commonwealth's Attorney office to supplement the Victim Witness Grant funding to cover program costs including personnel and/or operations, as required.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Mary W. Biggs
James D. Politis		John A. Muffo
William H. Brown		Annette S. Perkins
Doug Marrs		

COUNTY ATTORNEY'S REPORT

Joint Economic Growth Agreement with the Town of Christiansburg – The County Attorney reported the Joint Economic Growth Agreement with the Town of Christiansburg has been forwarded to the Commission on Local Government for their findings. After the report on their findings is received a public hearing will be held regarding the revenue sharing from the proposed retail mall located behind K-Mart in Christiansburg.

COUNTY ADMINISTRATOR'S REPORT

New River Valley Home Consortium – The County Administrator reported that the New River Valley Home Consortium has completed its first year of operation.

During its first year the HOME Consortium has established protocols and procedures by which the Consortium operates. The following is an update on the status of the Consortium and brief discussion regarding recent financial/project status.

- Floyd County has sought, and the Consortium has approved, its membership into the Consortium. The Floyd County Board of Supervisors voted to seek membership and the Consortium's creation Agreement requires that the Consortium unanimously approve new membership applications. The Consortium at its June 26th meeting voted unanimously to authorize Floyd County's membership.

- Second item to report is the ongoing establishment of a long term budget and project schedule.

Since the establishment of the Consortium, it was discussed that it would be necessary to establish a multiple year budget and project schedule to insure that projects of substantive size could be funded and completed within the allotted time (Two Years) which HUD requires.

During its first year of operation, the Consortium established program guidelines and was able to make commitment of funds for a number of projects. To insure that long term budget and project scheduling can be implemented to insure successful projects, the Consortium has recommended a modified funding allocation.

Under the current funding plan, Montgomery County would receive \$2,217,661 (includes the two Towns' allocations) for the period 2007 – 2012. Under the proposed modified funding plan, the County would receive \$1,841,942, a reduction of \$375,710.

Mr. Hanratty reports that the Town of Blacksburg believes the modified funding plan will bolster the Consortium's efforts to address housing needs on a regional approach and if the County had sought funds on an individual basis directly to the State for HOME funds, the associated staff costs and administrative costs over a five year period would potentially cost more than the reduction of funds. The Town of Blacksburg now operates all programs which use Consortium funds. The Town provides all staff functions and insures compliance with Consortium and grant guidelines. The County does not provide any support other than authorizing the establishment of the Consortium and attending meetings.

Since the Town of Blacksburg spearheaded the effort to form the Consortium, they are the only entity which uses Consortium funds, Blacksburg supports this modified funding, and the members of the Consortium agreed to evaluate the budget and project schedule on a five year cycle.

The modified funding plan is consistent with the original discussions that funds would be moved around the New River Valley to promote housing improvements and that over the long term, each entity will receive the majority of funds which they bring to the Consortium.

Public Information Office – Ruth Richey, Public Information Officer, provided an update on the PIO Department. Ms. Richey stated that the PIO's goal is to continue to improve customer services and expand citizen outreach and education efforts. In order to accomplish these goals she is recommending that the telephone system be redesigned to a computerized system to allow callers to select the appropriate department rather than going through the county operator to enable quicker and more direct service.

Ms. Richey also recommends that improved signage be installed through out the building, such as "you are here" maps. The front lobby will be redesigned by replacing the current receptionist area with a smaller more inviting work desk and installing a kiosk in the lobby where daily meetings and other county information may be listed.

The Public Information Office is working with the News Messenger to publish a special section on Montgomery County, which will be inserted into 10,000 copies of the newspaper on September 13, 2008.

It was Board consensus for the Public Information Officer to move forward with these plans.

Inmate Litter Clean-up Update - The County Administrator reported that VDOT is behind schedule for mowing the secondary roads in Montgomery County; therefore, the Sheriff's Office is unable to clean roads designated for litter clean-up. The Sheriff's Office is in contact with VDOT on which roads need to be mowed in order to begin the clean-up of these areas.

SUPERVISORS REPORT

Supervisor Brown received a request from residents at Warm Hearth for the County to work with the Town of Blacksburg to get the Blacksburg Transit to make stops at Warm Hearth. The County Administrator will contact Becky Martin, Transit Director, about this request.

Supervisor Politis - **Seven Mile Oak – Historical Site**: Supervisor Politis reported that residents will be contacting the County to see if a plaque/marker can be placed at the Seven Mile Oak, which was the site for the last battle fought during the Civil War. In 1957, the County replaced the oak when it was struck by lightning.

ADJOURNMENT

On a motion by William H. Brown, seconded by Gary D. Creed and carried unanimously, the Board adjourned to Monday, July 28, 2008 at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
William H. Brown	None	Mary W. Biggs
James D. Politis		John A. Muffo
Gary D. Creed		Annette S. Perkins
Doug Marrs		

The meeting adjourned at 10:12 p.m.

APPROVED: _____	ATTESTED: _____
Annette S. Perkins Chair	B. Clayton Goodman, III County Administrator